

REMARKS

Claims 22-27 now remain pending in the application.

The Applicant respectfully requests that the Examiner reconsider earlier rejections in light of the following remarks. Entry of the Amendment is respectfully requested.

Claims 22 -27 over Owens in light of Thro

In the Office Action, claims 22-27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 6,633,630 to Owens *et al.*, ("Owens") in view of U.S. Pat. No. 6,147,977 to Thro *et al.*, ("Thro"). The Applicants respectfully traverse the rejection.

Claims 22-27 recite a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message where the recipient is not alerted until a current time corresponds to a predetermined time at which to alert the recipient.

Owens appears to disclose a system for integrating electronic mail, voice mail and fax mail in a universal mailbox. Abstract. One of the system's features is to telephonically alert a recipient of an electronic message if the source of the message is identified in a predefined list of sources for which to alert the recipient by telephone. Col. 11, lines 62-67, col. 12, lines 22-25. As the Examiner acknowledges (Office Action, p. 3), Owens does not teach comparing a current time to a predefined time at which to alert the recipient by telephone and dialing a telephone number if the current time corresponds to the predetermined time at which to alert said recipient. The Examiner relies on Thro to remedy this deficiency. The Applicants respectfully disagree.

Thro appears to disclose a method and apparatus that process messages within a wireless communications system based on originator priority and recipient priority. The recipient can set time of day priorities to determine which form of communication (e.g., pager, facsimile, cell phone, etc.) will be used to send a message alert. Fig. 2, element 82. In Thro, however, the message alert is always sent. The current time is compared to a range of times only to determine which form of communication will be used. Thro does not disclose or

suggest a system where the recipient is not alerted until a current time corresponds to a predetermined time at which to alert the recipient. Thus, Owens and Thro, either alone or in combination, fail to disclose or suggest a system and method of dialing a telephone number for a recipient and telephonically alerting the recipient of a received electronic message where the recipient is not alerted until a current time corresponds to a predetermined time at which to alert the recipient, as recited in claims 22-27.

A benefit of a system and method of telephonically alerting the recipient of a received electronic message only when a current time corresponds to a predetermined time at which to alert the recipient, and not before, is, e.g., convenience for a user. A user may only want to be disturbed with urgent electronic messages during certain hours of a day. Thus, the Applicants' system allows the recipient to listen to alerts at a time when it is most convenient. The cited prior art fails to disclose or suggest the claimed features having such benefits.

Accordingly, for at least all the above reasons, claims 22 -27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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